

Remarks/Arguments:

Claims 1,2, 8, 11-22, and 24-46 are pending in the above-identified application. Claims 3-7, 9-10, 23 and 32 are canceled.

Claim 40 was objected to because of an informality. Claim 40 has been amended to delete the term "a" before the term "bulk."

Claims 27 and 29 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 27 and 29 have been amended to replace the term "pass-band" with the term "attenuation band."

Claims 28, 33, 39-40 and 44 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Rist et al. Claims 32 and 34-37 were indicated as being allowable if amended to be independent and to include all of the limitations of their base claims and any intervening claims. Accordingly, claim 28 has been amended to include the limitations of claim 32. Claim 32 has been canceled. Because claim 28 is now in condition for allowance, claim 28 is not subject to rejection under 35 U.S.C. § 102 (b) as being anticipated by Rist et al. for at least the same reasons as claim 28.

Claims 33, 39-40 and 44 depend from claim 28. Accordingly, claims 33, 39-40 and 44 are also not subject to rejection under 35 U.S.C. § 102(b) in view of Rist et al.

Claims 31, 38, 43, 45 and 46 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Rist et al. and Hosaka et al. As described above, because claim 28 has been amended to include the limitations of claim 32, claim 28 is now in condition for allowance. Claims 31, 38, 43, 45 and 46 depend from claim 28. Accordingly, claims 31, 38, 43, 45 and 46 are also not subject to rejection under 35 U.S.C. § 103 (a) as being obvious in view of Rist et al. and Hosaka et al. for at least the same reasons as claim 28.

Claim 42 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Rist et al. and Hikita et al. As described above, because claim 28 has been amended to include the limitations of claim 32, claim 28 is now in condition for allowance. Claim 42 depends from claim 28. Accordingly, claim 42 is also not subject to rejection under 35 U.S.C. § 103 (a) as being obvious in view of Rist et al. and Hikita et al. for at least the same reasons as claim 28.

Application No.: 10/657,944
Amendment Dated: May 3, 2006
Reply to Office Action of February 14, 2006



MTS-3462US

Claim 41 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Rist et al. and Official Notice taken by the Examiner that thin film piezoelectric resonators are well known. As described above, because claim 28 has been amended to include the limitations of claim 32, claim 28 is now in condition for allowance. Claim 41 depends from claim 28. Accordingly, claim 41 is also not subject to rejection under 35 U.S.C. § 103 (a) as being obvious in view of Rist et al. and Official Notice taken by the Examiner for at least the same reasons as claim 28.

Applicants acknowledge the allowance of claims 1, 2, 8, 11-22, 24-26 and 30.

Applicants acknowledge the indication in the Office Action that claims 32 and 34-37 would be allowable if amended to be independent and to include all of the limitations of their base claims and any intervening claims. However, as described above, claim 32 has been canceled. Further, because claims 34-37 also depend from claim 28, claims 34-37 are now in condition for allowance.

In view of the foregoing amendments and remarks, Applicants request that the Examiner reconsider and withdraw the objections to claims 34-37 and 40 and the rejection of claims 27-29, 31, 33 and 38-46.

Respectfully submitted,

Lawrence E. Ashery, Reg. 34,515
Attorney for Applicants

LEA/DFD/dms/ds

Dated: May 3, 2006

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: **May 3, 2006**

Deborah Spratt

DAS_C:\NRPORTBL\RP\DBSPRATT\4246_1.DOC